

PTO/SB/22 (08-03)

Approved for use through 7/31/2008. OMB 0651-0031  
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## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.138(a)

Docket Number (Optional)

APP 1286

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NOV 11 2004

In re Application of  
Joseph C. LibertiApplication Number  
09/698,970Filed  
10/27/2000For Method for Establishing Reliable Communications Between Two Points in  
a Mobile Wireless Network

Art Unit

2684

Examiner

LEE, John J

This is a request under the provisions of 37 CFR 1.138(a) to extend the period for filing a reply in  
the above identified application.The requested extension and appropriate non-small-entity fee are as follows (check time period  
desired):☒ One month (37 CFR 1.17(a)(1))

\$ 110

☐ Two months (37 CFR 1.17(a)(2))

\$

☐ Three months (37 CFR 1.17(a)(3))

\$

☐ Four months (37 CFR 1.17(a)(4))

\$

☐ Five months (37 CFR 1.17(a)(5))

\$

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown  
above is reduced by one-half, and the resulting fee is: \$☐ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director has already been authorized to charge fees in this  
application to a Deposit Account.☐ The Director is hereby authorized to charge any fees which may be required,  
or credit any overpayment, to Deposit Account Number

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☒ attorney or agent of record. Registration Number 16154☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a)

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

Nov 11, 2004

Date

732-699-4465

Telephone Number

Signature

James W. Falk

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple  
forms if more than one signature is required, see below.☒ Total of 1 forms are submitted.This collection of information is required by 37 CFR 1.138(a). This information is required to obtain or retain a benefit by the public which is to file (and by the  
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection of information is not a mandatory requirement for  
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any  
comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information  
Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED  
FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB-00 (09-04)

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/898,870
Filing Date	10/27/2000
First Named Inventor	Joseph C. Liberti
Art Unit	2884
Examiner Name	LEE, JOHN J
Attorney Docket Number	APP 1208

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**NOV 1 2004**

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 021822. I have enclosed a duplicate copy of this sheet.

- a. ☒ RCE fee required under 37 CFR 1.17(e)
- b. ☒ Extension of time fee (37 CFR 1.139 and 1.17)
- c. ☒ Other Attached - Fee Transmittal for FY 2005
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	<i>James W. Falk</i>	Date	<i>10/11/2004</i>
Name (Print/Type)	James W. Falk	Registration No.	16154

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Nichelle Masseau</i>	Date	<i>11-11-04</i>
Name (Print/Type)	Nichelle Masseau		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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